

## **Delhi Electricity Regulatory Commission**

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi –110 017

Ref. F.11(820)/DERC/2012-13/C.F.No. 3487/ 5753

### **Petition No. 29/2012**

**In the matter of:** Complaint under Section 142 of the Electricity Act, 2003.

Shri Anurag Awasthi  
F-5, East of Kailash  
New Delhi-110065

**...Complainant**

### ***VERSUS***

M/s BSES Rajdhani Power Limited  
Through its : **CEO**  
BSES Bhawan, Nehru Place  
Delhi-110019

**...Respondent**

### **Coram:**

**Sh. P.D. Sudhakar, Chairperson, Sh. Shyam Wadhera, Member &  
Sh. J.P. Singh, Member.**

### **ORDER**

(Date of Order: 30.01.2013)

1. The present petition has been filed by Shri Anurag Awasthi against BSES Rajdhani Power Limited under section 142 of the Electricity Act, 2003 for setting aside of Speaking Order dated 19.12.2011, wherein the Assessing Officer has established theft of electricity under the Delhi Electricity Supply Code & Performance Standards Regulations, 2007 and Section 135 & 136 of the Electricity Act, 2003, as amended in 2007.

2. Notice of the petition was issued to the respondent on 25.05.2012 to file its reply.
3. However, on 14.01.2013, the Commission has received a letter from the respondent enclosing therewith an affidavit duly signed by the Sr. Manager (Enforcement), BSES Rajdhani Power Ltd., stating that the petitioner has already settled the matter amicably with them on 14.10.2012 before the Judge, Lok Adalat.
4. The Respondent has also filed a copy of order dated 14.10.2012 wherein the complainant has settled the aforesaid case with them and as per said order, the complainant was to withdraw all cases pending in any court of law in respect of the settled bill. The relevant paragraph is reproduced is as under:

***“(ii) it is agreed that in view of the settlement arrived at, consumer shall not file any proceeding against BSES in respect of the present bill and withdraw all cases pending in any court of law in r/o the settled bill nor BSES shall file any criminal complaint under Electricity Act, 2003 and as amended in 2007 /withdraw the complaint if already filed before the Special Court of Electricity”.***

5. In view of the facts stated above, the Commission decided to dispose-off the above petition considered as withdrawn.
6. Ordered accordingly.

Sd/-  
(J.P. Singh)  
MEMBER

Sd/-  
(Shyam Wadhera)  
MEMBER

Sd/-  
(P.D. Sudhakar)  
CHAIRPERSON